

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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BANK OF AMERICA, N.A.

In Re:
Francis J. Gillen,

Debtor.



Order Filed on January 5, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-32744 ABA

Adv. No.:


Hearing Date: 12/21/2021 @ 2:00 P.M.

Judge: Andrew B. Altenburg

ORDER RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: January 5, 2022



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

(Page 2)

Debtor: Francis J. Gillen

Case No: 19-32744 ABA

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Bank of America, N.A., Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 4 Kenneth Court, Sewell, NJ, 08080, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Seymour Wasserstrum, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 13, 2021, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due September 2021 through December 2021 with \$1,056.80 in suspense for a total post-petition default of \$10,554.58 (2 @ \$2,873.34; 2 @ \$2,932.35, less \$1,056.80 suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$10,554.58 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is **ORDERED, ADJUDGED and DECREED** that debtor will file a modified plan within twenty days of the entry of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2022, directly to Secured Creditor Bank of America, N.A., P.O. Box 660933, Dallas, TX 75266-0933 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$188.00 for filing fees, totaling \$538.00, which is to be paid through Debtor's Chapter 13 plan and motion is hereby resolved.

In re:
Francis J Gillen
Debtor

Case No. 19-32744-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Jan 05, 2022

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 07, 2022:

Recip ID	Recipient Name and Address
db	+ Francis J Gillen, 4 Kenneth Court, Sewell, NJ 08080-4115

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 07, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 5, 2022 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
Keri P. Ebeck	on behalf of Creditor Regional Acceptance Corporation KEBECK@BERNSTEINLAW.COM jbluemle@bernsteinlaw.com
Seymour Wasserstrum	on behalf of Debtor Francis J Gillen mylawyer7@aol.com ecf@seymourlaw.net;r47769@notify.bestcase.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5